

ARTICLE I: ZONING CODE ENACTMENT AND APPLICABILITY

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Chapter 19.010

Zoning Code Enactment**19.010.010 Title**

This Title 19 constitutes, and may be referred to as, the Zoning Code of the City of Riverside.

19.010.020 Authority

The Zoning Code is enacted based on the authority vested in the City of Riverside and the State of California, including but not limited to: the State Constitution, Planning and Zoning Law (California Government Code Section 65000 et seq.), California Environmental Quality Act (California Public Resources Code Section 21000 et seq.), and the California Health and Safety Code.

19.010.030 Adoption of Code and Map

The Zoning Code, the comprehensive land use and zoning regulations of the City, together with the zoning map, are hereby adopted in conformance with current State planning, zoning, and development laws.

Chapter 19.020

Purpose and Scope**19.020.010 Purpose**

The purpose of the Zoning Code is to encourage, classify, designate, regulate, restrict and segregate the highest and best location and use of buildings, structures and land for agriculture, residence, commerce, trade, industry, water conservation or other purposes in appropriate places; to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; to regulate and determine the size of yards and other open spaces; and, to regulate and limit the density of population and for such purpose to divide the City into zones of such number, shape and area as may be deemed best suited to carry out these regulations and provide for their enforcement. Further, such regulations are deemed necessary to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air and to prevent and fight fires; to prevent undue concentration of population; to lessen congestion on streets; to facilitate adequate provisions for community utilities such as transportation, water, sewerage, schools, parks and other public requirements; and, to promote the public health, safety and general welfare, all as part of the **General** Plan of the City.

19.020.020 Scope

Unless otherwise provided by law, the provisions contained in the Zoning Code shall apply to all real property contained within the corporate limits of the City of Riverside.

Chapter 19.030

Relationship to Other Provisions

19.030.010 Relationship to Prior Ordinance

The provisions of the Zoning Code, as it existed prior to the effective date of Ordinance No. (*Insert Ordinance number to adopt this update*), are repealed and superseded as provided in the ordinance enacting this Title. No provision of this Title shall validate or legalize any land use or structure established, constructed, or maintained in violation of the title as it existed prior to repeal by the ordinance enacting this Title.

19.030.020 Relationship to General Plan

The Zoning Code is intended to provide the legislative framework to implement the goals and policies of the City of Riverside General Plan.

19.030.030 Relationship to California Environmental Quality Act

When a project is determined to be subject to the provisions of the California Environmental Quality Act (CEQA), the application shall be reviewed in accordance with the provisions of this Title, Public Resources Code Section 21000 et seq., Section 15000 et seq. of Title 14 of the California Code of Regulations (the CEQA Guidelines), and any environmental guidelines or regulations adopted by the City of Riverside.

Chapter 19.040

Zoning Code Applicability**19.040.010 Prior Rights and Violations**

The enactment of the Zoning Code shall not terminate nor otherwise affect vested land use development permits, approvals, or agreements authorized under the provisions of any ordinance or resolution, nor shall violation of any prior ordinance or resolution be excused by the adoption of this Title.

19.040.020 Public Nuisance

Neither the provisions of the Zoning Code nor the approval of any permit authorized by the Zoning Code shall authorize the maintenance of any public nuisance.

19.040.030 Continuation of an Existing Land Use or Structure

It is unlawful and a violation of the Riverside Municipal Code for anyone to use a parcel or structure in a manner that violates any provision of the Zoning Code. However, a land use that was lawfully established before this Title was enacted, or before enactment of any applicable amendment to the Zoning Code, may continue. No expansion or modification to a pre-existing legal nonconforming use or structure shall be permitted except as allowed by Chapter 19.080 of the Zoning Code. It is the responsibility of the property owner to provide evidence or information to justify or establish nonconforming rights. Enforcement of this Section shall be in accordance with Article III of the Zoning Code.

19.040.040 Conflicts with Other Regulations

Where any conflict occurs between the provisions of the Zoning Code and the provisions of other titles of the Riverside Municipal Code or other regulations adopted by the City, the more restrictive provisions shall apply. Nothing contained in the Zoning Code shall be deemed to repeal or amend any regulation of the City requiring a permit or license or both, nor shall anything in the Zoning Code be deemed to repeal or amend other titles of the Municipal Code.

19.040.050 Conflicts with Overlay Zones

In the event of any conflict between the requirements of the Zoning Code and standards in an adopted Overlay Zone or Planned Residential Development, the requirements of the Overlay Zone or applicable Planned Residential Development shall govern.

19.040.060 Conflicts with Specific Plans

In the event of any conflict between the requirements of the Zoning Code and standards in an adopted Specific Plan, the requirements of the Specific Plan shall govern.

19.040.070 Conflicts with Development Agreements

In the event of any conflict between the requirements of the Zoning Code and standards in an adopted Development Agreement, the requirements of the Development Agreement shall govern.

19.040.080 Development Applications in Process

Following the effective date of the Zoning Code, or any amendment of this Code, regulations of the Zoning Code are applicable to all applications in process in process, except for any application deemed to have been previously submitted and complete by the Planning and Building Department, in which case the prior Zoning Code regulations, in effect, shall apply.

19.040.090 Other Requirements/Permits

Nothing in the Zoning Code eliminates the need for obtaining any other permits required by the City, or any permit or approval required by other provisions of the Riverside Municipal Code or the regulations of any City department, including the Riverside Redevelopment Agency, or any county, regional, State, or Federal agency.

19.040.100 Conflicting Permits

After the effective date of the Zoning Code, or any amendment hereto, all permits for the use of land shall be issued in compliance with the provisions of the Zoning Code. Any permit issued after the effective date of the Zoning Code that conflicts with the provisions of the Zoning Code shall be deemed invalid.

19.040.110 Public Projects

Notwithstanding any lawful exemptions to zoning regulations, the provisions of this Title shall apply to all buildings, improvements, lots and premises, owned, leased, operated or controlled by the City or any department thereof, or by any other municipal or quasi-municipal corporation or governmental agency.

19.040.120 Severability, Partial Invalidation of Zoning Code

If any portion of this Title is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such determinations shall not affect the validity of the remaining portions of this Title. The City Council hereby declares that this Title and each article, section, subsection, paragraph, subparagraph, sentence, clause, phrase and portion thereof is adopted without regard to the fact that one or more portions of this Title may be declared invalid, unconstitutional, or unenforceable.